IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

Crl.Rev.Pet.No. 1373 of 2007()

CRA.367/2006 of SESSIONS COURT, ERNAKULAM
CC.379/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER: APPELLANT/ACCUSED

K.E.ABDUL JABBAR, S/O.IBRAHIM, AGED 35,
KARUTHUMTHARAYIL, VADUTHALA BOAT JETTY P.O.,
AROOKUTTY, ALAPPUZHA DISTRICT.

BY ADV. SRI.S.RAJKUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANT

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1. ABUBACKER, S/O.KUNJAYAMMU, AGED 60,
PADUKUNDIL HOUSE, UPPUKULAM, EDATHANATTUKARA,
MANNARKKAD TALUK.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI.ASHIK K.MOHAMMED ALI
PUBLIC PROSECUTOR SRI. C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 15/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.1373 of 2007

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Dated: 15-11-2007

ORDER

The accused in C.C. No. 379 of 2001 on th**e file** of the J.F.C.M-II, Kochi, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11834 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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